

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

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M&T BANK

In Re:
Kathleen M. Butler, and Kenneth M. Butler

Debtors.



Order Filed on September 25,
2018 by Clerk U.S. Bankruptcy
Court District of New Jersey

Case No.: 17-24718 JNP

Adv. No.:

Hearing Date: 9/11/18 @ 10:00 a.m..

Judge: Jerrold N. Poslusny Jr.

ORDER CURING POST-PETITION ARREARS & RESOLVING CERTIFICATION OF DEFAULT

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: September 25, 2018

A handwritten signature in dark ink, appearing to read "Jerrold N. Poslusny, Jr.", written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

(Page 2)

Debtor: Kathleen M. Butler, and Kenneth M. Butler

Case No: 17-24718 JNP

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING
CERTIFICATION OF DEFAULT

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, M&T BANK, Denise Carlon appearing, upon a motion to vacate the automatic stay as to real property located at 248 Nabb Avenue, Millville, NJ, 08332, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Brad J. Spiller, Esquire, attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of September 17, 2018, Debtors are in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due July 2018 through September 2018 for a total post-petition default of \$3,545.66 (3 @ \$1,216.88, less suspense \$104.98); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$3,545.66 will be paid over six months by Debtor remitting \$590.00 per month for five months and \$595.66 for one month, which additional payments shall begin on October 1, 2018 until the post-petition arrears are cured; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume October 1, 2018, directly to Secured Creditor's servicer, M&T Bank, Payment Processing, P.O. Box 1288, Buffalo, NY 14240-1288 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if any of the cure payments or regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$200.00 for attorneys' fees, which is to be paid through Debtors' Chapter 13 plan and the Certification of Default is hereby resolved.

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re:
Kenneth M. Butler
Kathleen M. Butler
Debtors

Case No. 17-24718-JNP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Sep 25, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 27, 2018.

db/jdb +Kenneth M. Butler, Kathleen M. Butler, 248 Nabb Ave, Millville, NJ 08332-4930

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 27, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 25, 2018 at the address(es) listed below:

Andrew Thomas Archer on behalf of Joint Debtor Kathleen M. Butler aarcher@brennerlawoffice.com,
bankruptcy@brennerlawoffice.com;r64966@notify.bestcase.com
Andrew Thomas Archer on behalf of Debtor Kenneth M. Butler aarcher@brennerlawoffice.com,
bankruptcy@brennerlawoffice.com;r64966@notify.bestcase.com
Brad J. Spiller on behalf of Debtor Kenneth M. Butler bankruptcy@brennerlawoffice.com,
aarcher@brennerlawoffice.com
Brad J. Spiller on behalf of Joint Debtor Kathleen M. Butler bankruptcy@brennerlawoffice.com,
aarcher@brennerlawoffice.com
Denise E. Carlon on behalf of Creditor M&T BANK dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Isabel C. Balboa ecfmil@standingtrustee.com, summarymail@standingtrustee.com
Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmil@standingtrustee.com,
summarymail@standingtrustee.com
John R. Morton, Jr. on behalf of Creditor Wells Fargo Bank, N.A., d/b/a Wells Fargo Dealer
Services ecfmil@mortoncraig.com, mortoncraigecef@gmail.com
Rebecca Ann Solarz on behalf of Creditor M&T Bank rsolarz@kmlawgroup.com
Rebecca Ann Solarz on behalf of Creditor M&T BANK rsolarz@kmlawgroup.com
Robert P. Saltzman on behalf of Creditor M&T Bank dnj@pbslaw.org
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 12